

DECLARATION OF EMERGENCY

**Department of Health and Hospitals
Bureau of Health Services Financing
and
Office for Citizens with Developmental Disabilities**

**Home and Community-Based Services Waivers
New Opportunities Waiver
Emergency Opportunities
(LAC 50:XXI.13709)**

The Department of Health and Hospitals, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities hereby rescinds the October 1, 2015 Emergency Rule governing the allocation of emergency waiver opportunities in the New Opportunities Waiver (NOW), which was published in the September 20, 2015 edition of the *Louisiana Register*. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health and Hospitals, Bureau of Health Services Financing adopted an Emergency Rule which amended the provisions governing the allocation of waiver opportunities in the NOW to revise the criteria for emergency waiver services, simplify the allocation process for NOW emergency opportunities, and facilitate faster access to NOW emergency services for qualified individuals (*Louisiana Register*, Volume 41, Number 9).

Upon further consideration, the department has now determined that it is necessary to rescind the October 1, 2015 Emergency

Rule. Effective immediately, upon adoption of this Emergency Rule, the department shall return to the provisions in place governing the allocation of waiver opportunities for the New Opportunities Waiver located in LAC 50:XXI.13709.

Effective December 19, 2015, the Department of Health and Hospitals, Bureau of Health Services Financing hereby rescinds the provisions of the October 1, 2015 Emergency Rule governing the allocation of waiver opportunities for NOW services which was published on page 1,630 in the September 20, 2015 edition of the *Louisiana Register*.

Kathy H. Kliebert

Secretary